

**State of Wisconsin
Department of Workforce Development**

NOTICE OF PUBLIC HEARING

Rule Relating to Apprenticeship Completion Award Programs

Ch. DWD 295, Wis. Admin. Code

The Wisconsin Department of Workforce Development (DWD) announces that it will hold a joint public hearing on a permanent rule and emergency rule relating to the Apprenticeship Completion Award Program.

DWD will hold a joint public hearing on May 15, 2014 at 1:00 p.m. Interested persons are invited to appear at the hearing and will be afforded the opportunity to make an oral presentation of their positions. Persons making oral presentations are requested to submit their facts, views, and suggested rewording in writing. Written comments will be accepted until Friday, May 23, 2014. Comments may be sent to the Division of Employment Training at the address below, or to Karen.Morgan@dwd.wi.gov or to <http://adminrules.wisconsin.gov>.

You can obtain a free copy of the emergency rule, hearing draft rule and related documents including the economic impact analysis by contacting the Wisconsin Department of Workforce Development, Division of Employment Training, P.O. Box 7972, Madison, WI 53708-7972. You can also obtain a copy by calling (608) 266-3133 or by emailing Karen.Morgan@dwd.wi.gov. Copies will also be available at the hearings. To view the hearing draft rule online, go to: <http://adminrules.wisconsin.gov>.

Comments or concerns relating to small business may also be addressed to DWD's small business regulatory coordinator Howard Bernstein at the address above, or by email to howard.bernstein@dwd.wi.gov, or by telephone at (608) 266-1756.

Visitors to the GEF 1 building are requested to enter through the left East Washington Avenue door and register with the customer service desk. The entrance is accessible via a ramp from the corner of Webster Street and East Washington Avenue. If you have special needs or circumstances regarding communication or accessibility at the hearing, please call (608) 261-6805 at least 10 days prior to the hearing date. Accommodations such as ASL interpreters, English translators, or materials in audiotape format will be made available on request to the fullest extent possible.

Hearing Date and Location:

Thursday, May 15, 2014, 2:00 p.m.
Department of Workforce Development
201 East Washington Avenue, Room F105
Madison, WI 53703

**Analysis Prepared by the Department of
Workforce Development**

Statutes Interpreted

Statutes Interpreted: Ch. 106, Stats.

Statutory Authority

Statutory Authority: s. 106.05, Stats.

Explanation of Statutory Authority

The Department of Workforce Development (DWD) has responsibilities imposed by 2013 Wisconsin Act 57 (Act 57) for implementing the state's apprenticeship completion reimbursement program. DWD has specific authority to establish rules interpreting and clarifying provisions under ch. 106, Stats., relating to apprentice, employment and equal rights programs. Act 57 created s. 106.05, Stats., which provides that DWD administer an apprenticeship completion award program to partially reimburse the tuition costs paid by apprentices who have successfully completed part or all of the apprenticeship requirements, or the sponsors of those apprentices, and promulgate rules to implement the program.

Related Statutes or Rules

Chapter 106, Stats., governs the state's apprenticeship program. DWD rules for the apprenticeship completion award program will be incorporated into ch. DWD 295, which governs the fundamental procedures of the federal and state apprenticeship programs.

Plain Language Analysis

This rule will administer an apprenticeship completion award program to partially reimburse the tuition costs paid by apprentices who have successfully completed part or all of their apprenticeship requirements, and are employed in the trade, craft or business in which the person was trained or by the sponsors of those apprentices.

This rule will do all of the following:

- Establish requirements that allow DWD to distribute tuition reimbursement completion awards to an apprentice and the sponsor of the apprentice, up to 25% of the tuition costs, but no more than \$1000.
- Allow DWD to distribute awards in two parts – the first payment may be made upon the successful completion of the first year of the apprentice's contract, but the payment may not exceed \$250. The remainder of the award may be distributed upon the final completion of all requirements under the apprentice's contract.

- Determine the reimbursement award percentage, or, in the alternative, deny applications for reimbursement that would otherwise qualify, if the amount of total reimbursement requests applied for exceeds the amount appropriated, based on the dates on which apprentices and sponsors of the apprentice become eligible for the apprenticeship completion awards.
- Identify requirements that an apprentice, or sponsor of the apprentice, seeking reimbursement under this program must meet when the apprentice is delinquent in child support or maintenance payments, or owes past support, medical expenses or birth expenses.

Summary of, and comparison with, existing or proposed federal statutes and regulations

The Code of Federal Regulation Chapter 29, Part 29, governs the U.S. Department of Labor Standards for the Registration of Apprentice Programs. There are no federal statutes or regulations equivalent to this apprenticeship completion award program.

Comparison with rules in adjacent states

Minnesota has implemented laws relating to voluntary apprentice program administration, but does not have any comparable rules or programs similar to the apprenticeship completion award program.

Illinois, Indiana, Iowa and Michigan do not have their own state apprenticeship laws and rely on federal standards.

Summary of factual data and analytical methodologies

This rule does not depend on any complex analysis of data. Act 57 authorized the department to create this rule. The department has adequate revenue to administer this program during the current biennium under the general purpose revenue provided for fiscal years 2013-14 and 2014-15.

Analysis and supporting document used to determine effect on small business or in preparation of an economic impact analysis

This rule does not impose any new regulatory burdens on any business. The purpose of this rule is to reimburse eligible tuition costs to an apprentice, or sponsor of the apprentice, upon successful completion of the first year under the apprentice's contract or upon the full completion of the apprentice's contract.

Effect on small business

This rule does not place any requirements on small businesses but it may have a positive impact on small businesses that employ apprentices and incur tuition costs. Small businesses that incur tuition costs may be eligible for reimbursement of up to \$1,000 per apprentice.

Agency contact person

Questions and comments related to this rule may be directed to:

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Division of Employment and Training
P.O. Box 7972
Madison, WI 53708-7972
Telephone: (608) 266-3133
E-Mail: Karen.morgan@dwd.wi.gov

Dated this 14th day of April, 2014.

STATE OF WISCONSIN,
DEPARTMENT OF WORKFORCE
DEVELOPMENT

By


Howard Bernstein, Chief Legal Counsel
(Authorized Designee for Reginald J. Newson, Secretary)